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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 96-172

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

2. Form, Style and Placement in Administrative Code

a. The Note following s. ILHR 51.16 (4) (a) 1. would be more appropriately placed after s. ILHR 51.16 (4) (a) 2.

b. Subunits of a rule should end with periods rather than commas, semicolons or “and” or “or” (except introductory material which ends with a colon). Therefore, all of the subdivisions in s. ILHR 69.03 (3) (b) should end with periods and par. (b) (intro.) should end with “. . . all of the following:”. Also see s. ILHR 69.18 (2) (a) 1. b. to d. and 2. a. and (b) 2. a. and b.

c. The change to s. ILHR 69.06 (1) could be accomplished by amending the section rather than repealing and recreating it. Also, the first “ss.” should just be “s.”

d. In the treatment clause to SECTION 7, “(intro.)” should replace “intro. paragraph.”

e. In s. ILHR 69.18 (1m) (a) 2., the term “a passenger elevators” should read “passenger elevators.”

f. The treatment clauses to SECTIONS 22 and 23 should be combined to read: “SECTION 22. ILHR 69.30 (1) and (2) are renumbered ILHR 69.30 (2) and (1) and ILHR 69.30 (1) (b) and (c), as renumbered, are amended to read:”.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. The agency may wish to review the term “baptisteries” as used in s. ILHR 69.16 (1) (b) 1. to determine whether this term should be defined or described in more detail or whether the meaning of the term is commonly understood.

- b. The reference to “these areas” in s. ILHR 69.16 (1) (b) 2. is not clear.
- c. The agency should review the use of the phrase “but not limited to” in s. ILHR 69.18 (1m) (a) 1. and also in s. ILHR 69.20 (3) (c) 1. Generally, the word “includes” is meant to be inclusive rather than exclusive in its meaning. [s. 1.01 (7) (c), Manual.]
- d. The Note to s. ILHR 69.18 (2) (a) 2. b. could specify the definitions of “story” and “mezzanine” contained in chs. ILHR 50 to 64 or at least provide a direct cross-reference to the definitions. The same comment applies to the Note following s. ILHR 69.18 (2) (b) 2. c. The agency may wish to review these Notes to determine whether one Note could be used in lieu of two separate Notes.
- e. In s. ILHR 69.18 (3) (a), the word “Exits” at the beginning of the second sentence should be put in quotes. The same comment applies to the Note following the paragraph.
- f. In s. ILHR 69.245, the rule could clarify that “Figure 9” refers to the Americans with Disabilities Act Accessibility Guidelines (ADAAG), not the ILHR rules. In this regard, the entire rule could be reviewed to assure references to ADAAG figures are clearly understood.
- g. In s. ILHR 69.275 (1), the last two sentences of the subsection appear to be contradictory.
- h. In s. ILHR 69.29 (3), technical terms such as “backcheck” and “15 lbf” could either be described in more detail or defined for clarity.
- i. The agency may wish to review the rule to determine whether an initial applicability section would be helpful to clarify the application of the new rule to pending plans and projects.